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Drawing Amendments

There are no amendments to the drawings.

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Remarks

The Office Action of 07/07/2009 rejected claims 2-6 and 16-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,113,503 of D.L. Basore, et al. (hereafter referred to as Basore) in view of U.S. Patent Application Publication No. 2003/0095650 of G.W. Mize (hereafter referred to as Mize). Also, the Office Action rejected claims 16-21 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Finally, the Office Action noted that the information disclosure statement filed May 5, 2008 failed to comply with the provisions of 37 CFR §1.97, §1.98 and M.P.E.P. §609. No claims are being amended or canceled.

Rejection of claims 16-21 under 37 CFR §1.97, §1.98 and M.P.E.P. §609

For the Examiner's information, the incorrectly submitted document was U.S. Patent Application Publication No. 2005/0201542 of M. Wengrovitz. Since applicants made a bona fide attempt to comply with 37 CFR §1.98, applicants request additional time be given to enable full compliance as set forth in 37 CFR §1.97 (f).

Rejection of claims 16-21 under 35 U.S.C. §101

The paragraph in the specification on Page 25 has been amended in accordance with the suggestions of the Office Action. Applicants respectfully submit that claims 16-21 are no

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longer directed to non-statutory subject matter and are patentable under 35 U.S.C. §101.

Rejection of claims 2-7 and 16-21 under 35 U.S.C. §103(a) over Basore in view of Mize

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. See M.P.E.P. § 2143. Additionally, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). This requirement is intended to prevent unacceptable "hindsight reconstruction" where applicant's invention is re-created from references using the application as a blueprint. The Applicants respectfully assert that the third criteria also has not been meant since the combination of Basore and Mize fail to teach or suggest each limitation of the Applicants' claimed invention.

Consider whether the third criteria is meant. Claim 2 recites:

A method for providing telecommunication terminal status information as enhanced telecommunication terminal status information, comprising:

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receiving telecommunication terminal status information by a telecommunication terminal via a network;
establishing direct communication with the telecommunication terminal via the network by a computer controlling a visual display separate from the telecommunication terminal;
directly accessing the telecommunication terminal status information from telecommunication terminal by the computer via the network;
emphasizing the accessed telecommunication terminal status information using visual enhancement; and
displaying the emphasized visual telecommunication terminal status information on the visual display to a user of the telecommunication terminal having at least one of poor visual acuity and poor hearing.

With respect to the step of receiving, the Office Action states "receiving telecommunication terminal status information by a telecommunication terminal via a network (col. 2, lines 31-59; a cable modem system and network interface device receive calls via the PSTN or an IP network; such calls include caller ID information)". Clearly, the Office Action is equating the recited "telecommunication terminal" with the "cable modem system (104 and 105) and network interface device (106)" of Figure 1 of Basore. Further, the Office Action equates the recited "network" with PSTN (101) and IP network (103) of Figure 1 of Basore.

With respect to the step of establishing, the Office Action states "establishing direct communication with the telecommunication terminal via the network....(fig. 1, elements 112; col. 2, lines 36-54; the NID routes caller ID data directly to a computer, which is capable of displaying that information to a user)". Clearly, the Office Action equates PC 112 of Figure 1

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with the recited "computer". Also, the Office Action clearly states that the caller ID data is directly routed to the computer by an NID 106 and is not routing the caller ID data via the network (PSTN 101) and IP network 103). Figure 1 clearly illustrates that a PC 112 is directly connected to an IP 106 and is not interconnected via PSTN 101 or IP network 103 which was the "network" identified by the Office Action in the step of receiving. The recited step of establishing clearly states "establishing direct communication with the telecommunication terminal via the network by a computer" and does not recite that the data is routed directly between the computer and the telecommunication terminal or that communication is directly between the computer and the telecommunication terminal.

With respect to the step of directly accessing, the Office Action states "directly accessing the telecommunication terminal status information from the telecommunication terminal by the computer via the network (fig. 1, elements 112; col. 2, lines 36-54; the NID routes caller ID data directly to a computer)". Again, Figure 1 clearly illustrates that PC 112 is directly connected to NID 106 and that PC 112 is not interconnected via the network (PSTN 101 or IP network 103); hence, PC 112 is not accessing the telecommunication terminal status information from the telecommunication terminal via the network as is recited in the accessing step of claim 2.

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Mize was only cited for disclosing the steps of emphasizing and displaying and does not disclose or suggest the recited steps of establishing and accessing.

It is clear that the rejection under 35 U.S.C. §103 (a) based on Basore and Mize does not meet the third criteria since Basore and Mize do not singularly or in combination disclose the steps of establishing and accessing, as recited in claim 2.

Dependent claims 3-7 are directly dependent on claim 2 and are patentable for at least the same reasons as claim 2.

Claim 16 and dependent claims 17-21 are patentable for at least the same reasons as claim 2-7.

Summary

In view of the foregoing, applicants respectfully request reconsideration of the claims, as presently in the application, and allowance of these claims.

Although the foregoing is believed to be dispositive of the issues in the application, if the Examiner believes that a telephone interview would advance the prosecution, the Examiner is invited to call applicants' attorney at the telephone number listed below.

Respectfully,

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